

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Greenbelt Division)**

VIDAL BURGOS-LOPEZ
2603 Dawn Drive
Alexandria, VA 22306

Plaintiff;

V.

Civil No. _____

BELINDA BRANT TURNER
11805 Morningstar Drive
Germantown, MD 20876

Defendant.

COMPLAINT

Plaintiff Vidal Burgos-Lopez, by and through his attorneys, David J. Kaminow and Inman Kaminow, P.C., complains against defendant, and for cause state:

1. At all times relevant hereto, plaintiff Vidal Burgos-Lopez (“Burgos-Lopez,” or “Plaintiff”) was an adult resident of Alexandria, Virginia, residing at the above captioned address.
2. At all times relevant hereto, defendant Belinda Brant Turner (“Turner”) was an adult citizen of Montgomery County, Maryland, residing at the above captioned address.
3. Jurisdiction is proper herein because the amount in controversy exceeds \$75,000.00 (Seventy Five Thousand Dollars).
4. Venue is proper in this jurisdiction wherein the events complained of took place and where defendant resides.

FACTS COMMON TO ALL COUNTS

5. Plaintiff hereby incorporates by reference the factual allegations of paragraphs 1 through 4 above as though fully set forth herein.

6. On or about August 10, 2016, Plaintiff was working as a highway “flagger” in an active construction zone on Snouffer School Road near its intersection with Bonanza Way in Montgomery County, Maryland.

7. The construction zone was properly marked so that all traffic was on notice to exercise due care.

8. At the same time and place as aforesaid, defendant Turner was operating her 2004 Toyota Sienna minivan southbound on Snouffer School Road.

9. Defendant Turner failed to properly control her vehicle and struck Plaintiff in and about the head and face with her rear view mirror.

COUNT I
(Negligence)

10. Plaintiff hereby incorporates by reference the factual allegations of paragraphs 1 through 9 as though fully set forth herein.

11. At the time and place as aforesaid, defendant Turner owed Plaintiff the duty of:

- a. Paying full attention to the duties attendant with driving a motor vehicle;
- b. Driving at speeds reasonable under the circumstances;
- c. Obeying signs controlling the lane of traffic;
- d. Reducing her speed to avoid the collision;

e. Using due care to avoid the collision; and

f. Otherwise as established under applicable code, regulations, statutes, and caselaw.

12. Defendant breached the aforesaid duties and was negligent, causing injury to Plaintiff.

13. At no time was Plaintiff contributorily negligent, nor did he assume the risk of his injuries.

14. As a direct and proximate result of defendant's negligence, and through no fault of his own, Plaintiff incurred serious and permanent injury, including, but not limited to, medical expenses in the past, present, and future; loss of wages and wage earning capacity in the past, present and future; physical pain and suffering in the past, present, and future; mental pain, suffering and emotional distress in the past, present, and future; and otherwise to be determined during discovery pursuant to the Maryland Rules of Civil Procedure.

WHEREFORE, plaintiff, Vidal Burgos-Lopez, respectfully demands judgment against the defendant, Belinda Brant Turner, for compensatory damages in the amount of Five Hundred Thousand Dollars (\$500,000.00), plus interest and costs as allowable by law, and for whatever other and further relief this Court may deem to be in the interest of justice.

Respectfully submitted,

Inman Kaminow, P.C.

/S/ David J. Kaminow
David J. Kaminow, #12089
dkaminow@kamlaw.net
9200 Corporate Boulevard, Suite 480
Rockville, MD 20850
301-315-9400
301-340-0130 (Facsimile)

Attorneys for plaintiff

JURY DEMAND

Plaintiff hereby demands trial by jury as to all matters so triable herein.

/S/ David J. Kaminow